



Legislative Council Staff

Nonpartisan Services for Colorado's Legislature

Fiscal Note Memorandum

TO: Members of the House Judiciary Committee

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DATE: March 5, 2025

Fiscal Assessment of L.001 and L.003 to HB 25-1136

This memorandum is an assessment of the fiscal impact of the attached proposed amendments L.001 and L.003 to House Bill 25-1136. This fiscal assessment is for the impact of the bill with inclusion of these amendments only. Any other added amendment could influence the fiscal impact.

Summary of Proposed Amendments

Amendment L.001

L.001 makes several changes to the introduced bill, including:

- requiring peace officer inclusion in the discipline database when charged with a crime, instead of when investigated for a crime;
- clarifying the role of the Attorney General and district attorneys when submitting information about discipline to the Peace Officer Standards and Training (POST) Board;
- permitting the POST Board to suspend a peace officer's certification for at least one year if the officer is found civilly liable for the use of unlawful physical force or for failure to intervene if the use of unlawful force and the incident did not result in serious bodily injury or death to another person;
- making POST Board contact of an agency that refuses to send a disclosure for a job candidate permissive instead of mandatory; and
- making other technical and clarifying changes regarding the POST deputy director, administrators of judicial security, and subpoenas.



Amendment L.003

L.003 makes several changes to the introduced bill, including:

- removing the requirements that a person not be included in the discipline database if termination is overturned or reversed by an appeal and that a notation be placed next to the officer's name during appeals;
- modifying inclusion criteria for officers involved in an investigation of misconduct;
- permitting the POST Board to permanently revoke a peace officer's certification for being found civilly liable for excessive or unconstitutional physical force, instead of unlawful force; and
- making other technical and clarifying changes regarding the POST Board and administrators of judicial security.

Fiscal Impact of Amendment

The amendments clarify the role of the Attorney General in investigations, make certain duties permissive rather than mandatory, and remove requirements around appeals. As a result, the amendments remove the identified impact in the original fiscal note dated February 17, 2025, of \$118,000 in FY 2025-26 and \$112,000 in FY 2026-27 and ongoing.

Bill's Revised Fiscal Impact with Amendment

As amended, the bill requires no appropriation, as shown in Table 1. Workload impacts are as follows.

State Workload

Starting in FY 2025-26, the bill increases workload to the Judicial Department and state agencies that employ law enforcement agencies, as described below.

Judicial Department

If the Department of Law seeks subpoenas, workload in the trial courts of the department will increase. The fiscal note assumes a high degree of compliance by law enforcement agencies; therefore, any workload is assumed to be minimal.



State Agencies that Employ Peace Officers

If the bill requires updates to policies, workload to the various agencies that hire law enforcement officers will increase. The fiscal note assumes state agencies will report what is required by law, and will cooperate with any investigation conducted by the POST Board; therefore, any workload increase is assumed to be minimal.

Local Government

The bill may increase workload to local law enforcement agencies and the Regional Transportation District in the following ways. If these agencies need to update policies, workload will increase. In addition, workload will increase to cooperate with any investigation conducted by the POST Board. Finally, if an agency refuses to disclose an applicant's file, the bill will increase costs to pay fines and may decrease any state funding to the agency. Overall, the fiscal note assumes a high degree of compliance and assumes impacts will be minimal.

Table 1
State Fiscal Impacts with Amendment L.001 and L.003

| Type of Impact | Budget Year FY 2025-26 | Out Year FY 2026-27 |
|-------------------------|-----------------------------------|--------------------------------|
| State Revenue | \$0 | \$0 |
| State Expenditures | \$0 | \$0 |
| Transferred Funds | \$0 | \$0 |
| Change in TABOR Refunds | \$0 | \$0 |
| Change in State FTE | 0.0 FTE | 0.0 FTE |